

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

MARY SMITH, JULIE JOHNSON, JANE  
ANDERSON, and ELIZABETH BROWN,  
Plaintiffs,

v.

ROBERTS WESLEYAN COLLEGE, MICHAEL  
BROBERG, AND SAMSON W. MCCRADY,

Defendants.

Case No.: 6:23-cv-06263-EAW

**PROPOSED DISCOVERY PLAN**

Pursuant to the Federal Rules of Civil Procedure, the Local Civil Rules of the United States District Court for the Western District of New York, and the September 6, 2023 Order of the Honorable Mark W. Pedersen, counsel for the parties in the above-captioned action have conferred and agreed upon a Proposed Discovery Plan, and hereby jointly propose the following:

1. Unanimous consent to jurisdiction by a Magistrate Judge has not been agreed upon.
2. October 30, 2023, as the deadline for the parties' compliance with the mandatory initial disclosure requirements pursuant to Fed. R. Civ. P. 26(a)(1).
3. December 29, 2023, as the deadline for the filing of motions to amend the pleadings or add parties.
4. July 31, 2024, as the deadline for completion of fact discovery.
5. Plaintiffs shall identify any expert witnesses and provide reports pursuant to Fed. R. Civ. P. 26 by August 30, 2024. Defendants shall identify any expert witnesses and provide reports pursuant to Fed. R. Civ. P. 26 by September 30, 2024. All parties shall complete all discovery relating to experts, including depositions, by November 29, 2024.
6. November 29, 2024, as the deadline for filing motions to compel discovery.
7. Any protective orders requested pursuant to Fed. R. Civ. P. 26(c) shall be sought as necessary and appropriate.

8. Any changes in the limitations on discovery as provided in Rule 30 (oral depositions), and Rule 33 (interrogatories practice) and Rule 34 (document requests) shall be raised as necessary and appropriate. At this time, the parties do not anticipate requiring any such changes.
9. At this time, the parties do not anticipate any issues concerning preservation and/or discovery of electronically stored information.
10. At this time, the parties anticipate submitting a confidentiality and clawback agreement for the Court's approval.
11. December 30, 2024, as the deadline for the filing of dispositive motions.
12. The parties are willing to participate in a judicially supervised settlement conference or other form of alternative dispute resolution prior to the completion of substantial discovery.
13. Plaintiffs seeks a jury trial and the parties estimate that the trial will take approximately 5 days.

Respectfully submitted,

Dated: October 11, 2023

PLAINTIFFS,  
MARY SMITH, JULIE JOHNSON, JANE  
ANDERSON, and ELIZABETH BROWN

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Dated October 11, 2023

DEFENDANTS,  
ROBERTS WESLEYAN COLLEGE AND  
MICHAEL BROBERG

By: /s/ Kristi Rich Winters  
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Dated October 11, 2023

DEFENDANT,  
SAMSON W. MCCRADY

By: /s/ Robert M. Schechter

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**CERTIFICATION OF SERVICE**

I hereby certify that on October 11, 2023, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Kristi Rich Winters

Kristi Rich Winters